

# **EXHIBIT B**

ERIKA LEE  
APRIL 29, 2025

Part 1

JOB NO. 1582745

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ERIKA LEE,

Plaintiff,

vs.

DELTA AIR LINES, INC, DAVID  
NEEDHAM & JOSE ROSADO,

Defendants.  
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CIVIL ACTION NO.:  
1:22-cv-8618-  
DEH-RWL

Index No.  
22-cv-  
08618

DEPOSITION OF ERIKA LEE

New York, New York

Tuesday, April 29, 2025

Reported by:  
Jeremy Frank, MPM  
JOB NO. 1582745

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1 Lee

2 I can give you dates.

3

4 A. But I wasn't there long because  
5 I was being subjected to race, sex  
6 discrimination, hostile work environ-  
7 ment from Bernadette Tamasi. It got to  
8 the point she would grope my breasts  
9 daily whenever I worked with her, she  
10 would spank my behind. She asked me  
11 degrading questions, sexually harassing  
12 questions such if my vagina tasted like  
13 collard greens and fried chicken. She  
14 asked me questions such as if I shaved,  
15 if my pussy hair was nappy.

16 It got to the point I had to  
17 reach out to Henrietta Archie because  
18 she said if I didn't let her perform  
19 cunnilingus on me, she was going to  
20 write me up. And I reached out to  
21 Henrietta Archie while I was telling  
22 her the abuse I was, the sexual abuse  
23 and sexual harassmt and race  
24 discrimination and harassmt from  
25 Bernadette Tamasi, as well as hostile

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1 Lee  
2 work environment. She stated she then  
3 put me on two weeks suspension without  
4 pay. She takes away my flight  
5 benefits, and she takes away all my  
6 earned time.

7 Q. We will get to all that, I  
8 promise you.

9 After you were at La Guardia  
10 were you assigned to another airport?

11 A. I was not assigned to any other  
12 airport, I had had to apply for another  
13 position to get away from Bernadette  
14 Tamasi. Henrietta Archie did not  
15 facilitate any, she did not investi-  
16 gate, she did not, during my suspension  
17 Bernadette Tamasi was not suspended.  
18 And she did not do anything to take me  
19 out, take her out of that work role  
20 after I reported her sex, race  
21 discrimination.

22 Q. I am going to ask you again just  
23 please answer the questions I'm asking  
24 you.

25 A. That is my answer.

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1 Lee

2 Q. Okay.

3 My question was have you worked  
4 in any other airports after La Guardia?

5 A. Objection, that was not your  
6 question, but I have worked at other  
7 airports after La Guardia, I worked at  
8 JFK.

9 Q. Did you transfer to JFK?

10 A. Objection, sometime after I  
11 reported to Henrietta Archie I received  
12 my job back sometime in the summer,  
13 late summer, late summer maybe.

14 Q. Of 2019?

15 A. Yes, because she would not  
16 facilitate a reasonable accommodation  
17 in the form of a transfer out away from  
18 my sexual abuser and sexual assaultant  
19 (sic) and hostile work environment, I  
20 had to apply for another position once  
21 it became available to leave.

22 Q. We are going to break for lunch  
23 soon, before we do take, I want to  
24 double back on something.

25 You said that Ashley Rangel took

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C E R T I F I C A T E

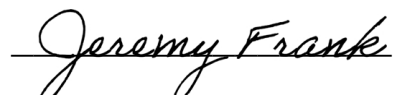
STATE OF NEW YORK       )  
                                      : ss.  
COUNTY OF NEW YORK    )

I, Jeremy Frank, a Notary Public within  
and for the State of New York, do hereby  
certify:

That ERIKA LEE, the witness whose  
deposition is hereinbefore set forth, was duly  
sworn by me and that such deposition is a true  
record of the testimony given by the witness.

I further certify that I am not related  
to any of the parties to this action by blood  
or marriage, and that I am in no way  
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereby  
set my hand on the 2nd day of May, 2025.

  
JEREMY FRANK, MPM

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Part 2

JOB NO. 1582745

1 UNITED STATES U.S. DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 -----X  
4 ERIKA LEE,

5 Plaintiff,

6 -against-

7 CIVIL ACTION NO.:  
8 #1:22-cv-8618-DEH-RWL

9 DELTA AIR LINES, INC, DAVID NEEDHAM & JOSE ROSADO,

10 Defendants.

11 -----X

12 Morgan Lewis & Bockius LLP  
13 101 Park Avenue  
14 New York, New York

15 DATE: April 29, 2025  
16 TIME: 3:31 P.M.

17 CONTINUED VIDEOTAPED DEPOSITION of ERIKA LEE, the  
18 Plaintiff herein, taken by the Defendant, pursuant to  
19 Article 31 of the Civil Practice Law & Rules of  
20 Testimony, held at the above-mentioned time and place,  
21 before GABRIELLA TUTINO, a Stenographic Reporter and  
22 Notary Public of the State of New York.  
23  
24  
25

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1 required it, then that would be something else I would  
2 have to take up with somebody else.

3 Q. Your doctor provided additional documents to  
4 Delta after you had that conversation with him?

5 A. Objection. Actually I did, I did get a  
6 doctor's note and my doctor took off my restriction  
7 because he was quite leery. I told him I have a copy of  
8 my, the job description. I said you know what, it's not  
9 required for me to lift anything. So you can take that  
10 right off of my, right off of my, you can take that off  
11 that. You can provide a notice saying that I don't have  
12 to lift and that I also was able to not use the, I could  
13 use the taxi service.

14 Q. After you provided that information to Delta  
15 you were permitted to return to work; is that correct?

16 A. Objection. That had nothing to do with my two  
17 weeks unpaid suspension. I was suspended because I  
18 opposed sex race discrimination hostile work  
19 environment.

20 Q. What's the basis for that believe?

21 A. What do you mean what's the basis for that  
22 belief.

23 Q. Who told you you were being suspended?

24 A. Objection. Henrietta Archie suspended me.

25 Q. When did she tell you that?



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1           A.     Objection. I was told that on my phone, on  
2     the phone call.

3           Q.     When did she tell you?

4           A.     Are you asking me the day.

5           Q.     The phone call, the April 2019 phone call, Ms.  
6     Archie told you you were being suspended?

7           A.     Objection. On the phone call that I had with  
8     Henrietta Archie when I told her about the sex race  
9     discrimination hostile work environment, that's the day  
10    that I was suspended by Henrietta Archie.

11          Q.     What did Ms. Archie tell you that you're  
12    claiming was notification that you were being suspended?

13          A.     She told me that she was going to suspend me  
14    pending some form of investigation but I was the only  
15    one being suspended. Bernadette Tomasi could stay in  
16    the work place. I never got any information based on  
17    any investigation that happened and I asked her, I said,  
18    well, since you're suspending me for this, is there any  
19    way you could give me reasonable accommodation out of  
20    this work force since I'm here, I want to continue to  
21    work but during your investigation. She stated no, that  
22    I'm going to be suspended and they were supposedly  
23    investigating but they never investigated and then she  
24    told me two weeks later that I could return to work.  
25    After that she took two weeks of my pay, she took all my

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1 time earned, and she revoked my travel privileges and no  
2 investigation was made. Bernadette Tomasi did not have  
3 to leave the work place and then she did not have to  
4 either get suspended or lose her time, lose any money  
5 when I --

6 Q. Let's take this one step at a time, all right.  
7 What specifically did Ms. Archie say to you that you're  
8 claiming, the specific words that she said that you're  
9 claiming was notice that you were being suspended?

10 A. Objection. 2019 has been a long time ago. I  
11 will tell you in my words what she said because I can't  
12 give you verbatim of what Ms. Archie said from 2019.  
13 But she said Erika, you're being suspended because you  
14 are reporting workplace, hostile workplace, sex race  
15 discrimination and hostile work environment.

16 Q. What was --

17 A. Hold on, I'm not finished.

18 Q. What was Ms. Archie's role at that time?

19 A. She worked for HR, EEOC.

20 Q. She was on the accommodations team, wasn't  
21 she?

22 A. I consider it all the same, EEOC. Let me look  
23 at what you gave me. She's a lead program manager for  
24 the EO accommodations.

25 Q. Okay. And Delta had --

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1 A. That's equal opportunity.

2 Q. But she did accommodations work; is that  
3 correct?

4 A. Yes.

5 Q. That why you were communicating with her in  
6 the first instance, in that exhibit that you're looking  
7 at there, exhibit --

8 A. That's F. That's her title. She worked in  
9 equal opportunity. So I told her what was going on and  
10 how Bernadette Tomasi was treating me, how she was  
11 sexually abusing me, assaulting me, racially  
12 discriminating me and harassing me. And that's why I  
13 was suspended and she gave me two weeks suspension and  
14 she took away all my flight benefits, my pay, it was  
15 unpaid. And she also told me that, and she denied all  
16 the reasonable accommodations that I had asked for. She  
17 didn't necessarily have to deny them because that wasn't  
18 a part of the, lifting weights was not a part of my job  
19 description, as well as taking a taxi was my option.  
20 So, during that timeframe she suspended me for opposing  
21 race sex discrimination and hostile work environment  
22 against Bernadette Tomasi.

23 Q. Ms. Tomasi, I'm sorry, Ms. Archie told you  
24 that you were being put out on leave because they could  
25 not offer you a reasonable accommodation; correct?

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1           A.     Objection. That's incorrect. I just told you  
2     why she put me on leave, why are you now putting words  
3     in my mouth. I told you because she's putting me on  
4     leave when I oppose sex race discrimination. When I  
5     spoke to her I told her how, everything that Bernadette  
6     Tomasi was doing to me. And she stated to me that I'm  
7     going to get put out on suspension and was suspended for  
8     two weeks without pay. I was given, she took away all  
9     my flight benefits and she took away all my earned time,  
10    all the time I earned so I could take off and get paid  
11    was taken away.

12           Q.    How many shifts were you scheduled to work in  
13    the two weeks you claim you were suspended?

14           A.    Objection. I worked five days a week.

15           Q.    How many days were you scheduled in that two  
16    week period?

17           A.    Objection. I'm scheduled to work five days a  
18    week, so during that two week period, 10 days.

19           Q.    You don't recall if anyone else was present  
20    during this meeting?

21           A.    Objection. I do not. It was quite some time  
22    ago.

23           Q.    So it's your testimony that it's just a  
24    coincidence that once your doctor submitted the notes to  
25    Delta you were allowed, removing your lifting

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1 Q. What is the disability that you have?

2 A. Objection. HIPAA.

3 Q. That's not a proper objection either. What's  
4 the nature of the disability that you have?

5 A. Objection. HIPAA.

6 Q. Will you answer any questions about the  
7 disability that you claim to?

8 A. Objection. I will not be answering anything  
9 about my medical.

10 Q. Are you claiming emotional distress damages in  
11 connection with this action?

12 A. Objection. Yes, I am.

13 Q. Did you seek treatment from any doctors for  
14 the alleged emotional distress?

15 A. Objection. I am, I have.

16 Q. Which doctors?

17 A. I have seen Dr. Shah and I've seen Dr.  
18 Michaels.

19 Q. Any other doctor?

20 A. Objection. No.

21 Q. Does your disability prevent you from working?

22 A. Objection. HIPAA.

23 Q. Does your disability prevent you from working  
24 you're claiming is a HIPAA issue?

25 A. Objection. Yes.

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C E R T I F I C A T E

STATE OF NEW YORK     )  
                                     :  
COUNTY OF NEW YORK

I, Gabriella Tutino, a Notary Public within and for  
the State of New York, do hereby certify:

THAT Erika Lee the witness whose deposition is  
hereinbefore set forth, was duly sworn by me and that  
such deposition is a true record of the testimony given  
by such witness.

I further certify that I am not related to any of  
the parties to this action by blood or marriage; and  
that I am in no way interested in the outcome of this  
matter.

IN WITNESS WHEREOF, I have hereunto set my hand  
this 29 of April 2025.

*Gabriella Tutino*

GABRIELLA TUTINO